

FALL 2011 KENTUCKY HIGH SCHOOL ATHLETIC ASSOCIATION ANNUAL MEETING
PROPOSALS SUBMITTED TO THE DELEGATES BY THE BOARD OF CONTROL FOR CONSIDERATION AS REQUIRED BY 702 KAR 7:065
AND THE ANNUAL REVIEW OF ASSOCIATION RULES. ALL PROPOSALS TO BE CONSIDERED SEPTEMBER 22, 2011 FOR ADOPTION
EFFECTIVE WITH THE 2012-2013 SCHOOL YEAR

PROPOSAL 2011-1

Proposed by the KHSAA Board of Control as part of the required annual review of all KHSAA Bylaws (702 KAR 7:065)

A proposal to revise Bylaw 6 and 7 to clarify the applicability of each rule between domestic and foreign students.

IMPACT: Technical and Procedural

Rationale – This proposal would make it clear the applicability of Bylaw 6 and 7 to students who enter the United States for a variety of reasons. This has been an unclear detail causing confusion to school administrators seeking rulings and answers.

BYLAW 6

Sec. 1) Domestic Student Transfer

Any student who has been enrolled in grades nine (9) through twelve (12) and has participated in any varsity contest in any sport at any school while maintaining permanent residence in the United States or a United States territory following enrollment in grade nine (9) and who then transfers schools shall be ineligible for interscholastic athletics at any level in any sport for one year from the date of enrollment in the new school.

The Ruling Officer and Commissioner have discretion (but are not required) to waive the period of ineligibility set forth above if one or more of the following exceptions in Section 2 has been met. Determinations of whether a student shall be granted a waiver pursuant to this rule shall be based on the circumstances existing as of the date of enrollment at the new school.

BYLAW 7

Sec. 1) Foreign Students (non-domestic)

Foreign students (non-domestic) attending school in Kentucky shall be considered ineligible for the first calendar year following enrollment.

Sec. 2) Discretionary Exceptions for Waiver

a) ENTIRE FAMILY RELOCATION - The period of ineligibility may be waived if the entire family unit is relocating from a foreign country. In this case, the student(s) may be declared eligible by documenting the move of the permanent residence of the entire family of the student and the student's parents into the school district or defined school attendance area prior to the enrollment of the student.

b) REFUGEE/POLITICAL ASYLUM - The period of ineligibility may be waived if the members of a family from a foreign country are relocating due to a declaration of asylum or seeking refuge due to acknowledged conflict. In this case, student(s) may be declared eligible by documenting the move into the school district or defined school attendance area by virtue of the policies of the United States Department of State prior to the enrollment of the student.

Sec. 21) Foreign Exchange Students (non-domestic)

c) FOREIGN EXCHANGE - The period of ineligibility may be waived if the student is placed in a KHSAA member school under the auspices of approved student exchange programs. In addition, such grant may be made or in other circumstances approved by the Board of Control within Board policy, these students may be declared eligible and not be subject to the initial one-year period of ineligibility.

~~Foreign exchange students (non-domestic) attending school in Kentucky shall be considered ineligible for the first calendar year following enrollment.~~

~~a) If placed in a KHSAA member school under the auspices of approved student exchange programs or in other circumstances approved by the Board of Control within Board policy, these students may be declared eligible and not be subject to the initial one-year period of ineligibility.~~

~~b) In order to be considered for a waiver, the following conditions shall exist:~~

- ~~1) The student shall be in compliance with all U.S. Immigration and Naturalization Service regulations;~~
- ~~2) The student shall be in the first and only year as an exchange student;~~
- ~~3) The student shall not be a graduate of the 12th or terminating grade or its' equivalent in either the U.S. or his or her home country;~~
- ~~4) The student shall be in possession of a complete transcript of records that has been translated into English prior to the request for eligibility;~~
- ~~5) The student shall be in possession of a J-1 student education visa issued by the U.S. Immigration and Naturalization Service;~~
- ~~6) The student's placement shall not have been a "direct placement" into a KHSAA member school;~~
- ~~7) The student's host family shall not pay any tuition or fee normal to the attendance at the KHSAA member school, all fees shall be paid by the student's family;~~
- ~~8) All travel fees shall be paid by the student's family; and~~
- ~~9) The student's host family shall not include members of the coaching staff at the KHSAA member school at which participation is desired and shall not include exchange agency representatives.~~

~~To be considered for approval by the Board of Control, a foreign exchange program shall assign students to schools by a method that ensures that no student, school or interested party may influence the assignment for athletic or other purposes.~~

~~The student, the principal or designated representative of the member school, and a representative of the placement agency shall sign and attest to certification that the athlete complies with the eligibility rules of the KHSAA and shall not be eligible under any circumstances for more than one year of athletic participation if the first year period of ineligibility is waived.~~

Sec. 2) Additional Eligibility for Exchange Students

~~Any student having made election to apply for the waiver of the first year of ineligibility and having been granted a waiver of the normal period of ineligibility under subsection (a) above shall not be eligible, under any circumstances, for more than one (1) school year while enrolled in grades 9 -12 in Kentucky.~~

Sec. 3) Students Not Coming Through Exchange Programs

~~Any student desiring to participate in athletics who does not meet the criteria listed in Bylaw 7 may seek a waiver of the one-year ineligibility period through the KHSAA Due Process Procedure.~~

PROPOSAL 2011-2

Proposed by the KHSAA Board of Control as part of the required annual review of all KHSAA Bylaws (702 KAR 7:065)

A proposal to revise Bylaw 6 to codify within the rule, existing Due Process Interpretations.

IMPACT: Technical and Minimal Impact

Rationale – This proposal would add the ability of a student to return from a boarding school to the existing boarding school exception. In various Due Process cases, this has been the interpretative action, however, it was not coded as such in the rule. The procedure also makes a housekeeping adjustment to ensure School Based Decision Making Authority as it relates to discipline and penalty and removes uncertainty as to the requirement.

BYLAW 6

Sec. 2) Discretionary Exceptions for Waiver

- e) BOARDING SCHOOLS- The period of ineligibility may be waived on a one-time basis for students entering or returning from a boarding school on a full time basis as a boarding school student.

Sec. 3) Specific Restrictions Resulting in Denial of Waiver

Satisfying of one of the exceptions (Section 2, a through i) shall not be considered valid and a waiver of the period of ineligibility shall not be granted:

- a) If the change in schools is to nullify or circumvent ~~implementation of Board of Education, School Based Decision Making or school imposed policy the actions of representatives or rules of the previous school or if the student left the sending school under penalty~~ which would have resulted in the student's ineligibility at the sending school;
- b) If the satisfying of one of the exceptions occurs after the enrollment at the new school;
- c) If the change in schools is motivated in whole or part by a desire to participate in athletics at the new school;
- d) If the satisfying of one of the exceptions is used or manipulated for the purpose of gaining athletic eligibility; or
- e) If the satisfying of one of the exceptions by the student and the parent(s) does not reasonably precipitate a transfer to the new school.

PROPOSAL 2011-3

Proposed by the KHSAA Board of Control in compliance with recommendation from the Program Review Committee of the Kentucky General Assembly

A proposal to revise the Divorce exception within the allowable exceptions for waiver of the one-year period of ineligibility under Bylaw 6 to include a properly recorded legal separation issued by a court of competent jurisdiction.

IMPACT: Regulatory

Rationale – This proposal would add a properly recorded legal separation to the divorce exception. Through the Program Review Committee discussions, the time required for a divorce to be final often precludes a student, impacted through no fault of their own, from participation in one or more sports seasons. With the increasing move toward mediation and “cooling off” periods in divorce filings, this appears to be a means of addressing the needs of the student while requiring an official action from a court of competent jurisdiction, not just parental agreement.

BYLAW 6

Sec. 1) Domestic Student Transfer

Any student who has been enrolled in grades nine (9) through twelve (12) and has participated in any varsity contest in any sport at any school following enrollment in grade nine (9) and who then transfers schools shall be ineligible for interscholastic athletics at any level in any sport for one year from the date of enrollment in the new school.

The Ruling Officer and Commissioner have discretion (but are not required) to waive the period of ineligibility set forth above if one or more of the following exceptions in Section 2 has been met. Determinations of whether a student shall be granted a waiver pursuant to this rule shall be based on the circumstances existing as of the date of enrollment at the new school.

Sec. 2) Discretionary Exceptions for Waiver

- b) DIVORCE- ~~The KHSAA shall not recognize a legal separation as grounds for waiver of the provisions of this bylaw.~~ The period of ineligibility may be waived in the event of a dissolution of marriage (i.e. a final and legally binding divorce decree from a court of competent jurisdiction) or properly recorded legal separation (i.e. a legally binding separation decree from a court of competent jurisdiction) of the parents and a change in the residence of the student pursuant to a court order granting custody of the child to one of the parents with whom the student shall reside. In the event joint custody is awarded to both parents, for purposes of this bylaw, the student shall initially be eligible where either parent resides.

The eligibility of a student may be restored one-time if, after establishing eligibility and complying with the initial court order granting joint custody, a student relocates to permanently reside with the other custodial parent. The grant of eligibility shall only apply to the member school in which the residence of the custodial parent is located. After this one time move by the student to the other custodial parent all subsequent moves between parents shall require a period of ineligibility of one year.

PROPOSAL 2011-4

Proposed by the KHSAA Board of Control in compliance with recommendation from the Program Review Committee of the Kentucky General Assembly

A proposal to add the dropping of a sport as a reason for a transferring student to be given an exception to the one year period of ineligibility.

IMPACT: Minimal Cases in Past

Rationale – This proposal add the dropping of a student's sport as a reason for waiving the one-year period of ineligibility.

BYLAW 6

Sec. 2) Discretionary Exceptions for Waiver

- j) CESSATION OF SCHOOL PROGRAM- The period of ineligibility may be waived in the event of a school discontinuing its participation in an Association sponsored sport in which the student had previously participated while attending that school.

PROPOSAL 2011-5

Proposed by the KHSAA Board of Control in compliance with recommendation from the Program Review Committee of the Kentucky General Assembly

A proposal to change the automatic eligibility after one-year provisions to specify a calendar year from last participation as opposed to a school year.

IMPACT: Technical and Regulatory

Rationale – This proposal would clarify a potential inequity in the current year for students who participate very early in a fall sport, then remain at the sending school, before transferring at a later time. In some cases, the student may then be required to sit out more than a calendar year simply due to participation timing, and this was viewed as inequitable by the Program Review Committee.

Sec. 2) Discretionary Exceptions for Waiver

BYLAW 6

- f) NON ATHLETIC PARTICIPATION FOR AN ENTIRE CALENDAR SCHOOL-YEAR- The period of ineligibility may be waived in the event that the transferring student did not participate in an interscholastic contest at any level in any sport while enrolled in grades nine through twelve during the previous calendar year at the sending school during the entire academic school year immediately preceding the change in schools.

PROPOSAL 2011-6

Proposed by the KHSAA Board of Control as part of the required annual review of all KHSAA Bylaws (702 KAR 7:065)

A proposal to remove the conduct provisions from Bylaw 9

IMPACT: Minimal

Rationale – This proposal would remove from state rules and return to local jurisdiction, student conduct issues. This particular provision is arguably unenforceable at the state level as only the local school authorities are aware of the particulars in a given matter, and it should be local school authority to manage.

BYLAW 9

~~Sec. 3) Conduct- Student or Other Representative Under Penalty-~~

~~Any student, contest official or other official school representative who is under penalty or discipline or whose conduct discredits the school or the KHSAA shall not be eligible.~~

PROPOSAL 2011-7

Proposed by the KHSAA Board of Control as part of the required annual review of all KHSAA Bylaws (702 KAR 7:065)

A proposal to move key provisions of restrictions on undue influence (recruiting) from case situation status to the actual rule.

IMPACT: Significant

Rationale – KHSAA Bylaws carry the force of state regulation (being incorporated by reference in 702 KAR 7:065). However, the case situations are only able to “explain” the rules, not create new code. In the past few years, review and investigations into allegations of Bylaw 10 violations illustrate that the rule itself needs to be strengthened. In that manner, the explanations in the case situations can be upheld, and the membership expectation of enforcement can be accomplished. The rule is designed not only to prevent issues with non-enrolled students, but to keep disproportionate benefits from being provided to certain athletes to keep them enrolled. This clarity is essential.

BYLAW 10,

Sec. 1) Foreword

A pupil (domestic or foreign) at any grade level shall not be recruited to a member school of the KHSAA for the purpose of participating in athletics, including recruitment under the guise of academics. A pupil (foreign or domestic) enrolled at any grade level shall not be given improper benefits not available to all members of the student body to remain at a member school.

Sec. 2) Definition

Recruiting is defined as an act, on behalf of or for the benefit of, a school, which attempts to influence a student to transfer to a member school for the purpose of participating in athletics. It shall also be defined as recruiting to provide improper benefits to an already enrolled student to influence that student to remain at a member school for the purpose of participating in athletics. A school official utilizing an intermediary including a peer, another school employee, a student, a parent or a citizen, for the purpose of recruiting a student athlete shall be in noncompliance.

- a) An athletic coach or any other member of the school staff shall not influence a student even if the student, his or her parents or any intermediary from another school makes the initial contact. In this situation, a coach or staff member (paid or unpaid) should immediately refer the person(s) to the school principal.
- b) Influencing a student shall include the promise or instilling the expectation of an athletic advantage, playing time, employment of the student or the student's parents or relatives, housing for the student or the student's parents, scholarships or financial aid for which other members of the student body are not generally eligible, providing other improper benefits, making improper contacts or any other material or athletic reward for which other members of the student body are not generally eligible.

Sec. 3) Penalty

Any representative of a member school knowingly allowing the recruitment of a student for the purpose of participating in athletics or who should have known of this recruitment shall be guilty of willful neglect of duty, misconduct, or breach of contract. This shall apply not only to coaches, but also to personnel supervising coaches, including an athletic director, an assistant principal, a principal, an assistant superintendent, a superintendent or a school board member. This requirement shall also apply to students or their parents.

PROPOSAL 2011-8

Proposed by the KHSAA Board of Control as part of the required annual review of all KHSAA Bylaws (702 KAR 7:065)

A proposal to implement a limitation of seasons for Bowling

IMPACT: Significant, but only to competing schools

Rationale – This proposal would codify a limitation of seasons for Bowling as the newest sanctioned Sport Activity.

BYLAW 25

Sec. 5) Specific Limitations- Other Sports Activities Bowling (renumber rest)

- a) The first organized practice shall not take place prior to October 15
- b) There shall be no more than two scrimmage or practice meets prior to the first regular season contest of that year.
- c) The first meet of the season shall not take place prior to the Monday of Corresponding Week 23.
- d) The season shall consist of a maximum of twenty-two dates of competition including invitational meets to be held prior to the beginning of KHSAA state championship competition (region).
- e) The opportunity to participate in regular season contests shall end at all levels of play (grades 9-12) on the day prior to the first day for varsity level competition in KHSAA sanctioned postseason events, with the exception that the varsity team may practice and play through its elimination from KHSAA sanctioned tournament play. Following elimination, there shall be no further practice or play during the remainder of the academic school year.

PROPOSAL 2011-9

Proposed by the KHSAA Board of Control as part of the required annual review of all KHSAA Bylaws (702 KAR 7:065)

A proposal to allow an earlier start of play for baseball and softball

IMPACT: Impact is optional and discretionary as schools are not required to play earlier

Rationale – This proposal would allow baseball and softball schools to begin play in the Wednesday of the first state tournament starting in 2014 (the Board has already addressed 2012 and 2013). This change would ensure that with the advent of revised testing and testing windows, including end of course assessments, schools would still have time to get the limit of games played even if testing forced cancellation of playing opportunities. In addition, the change lines up the schedule teams can play with the schedules of other states, and ensure that schools on alternative calendars with earlier spring breaks have the same scheduling opportunities. It is also anticipated that this proposal will help by allowing schools to play a few games early and prevent widespread issues when inevitable spring rain outs occur. Lastly, this change allows for a spacing out of the schedule so that the priorities of academics, testing and school year completion aren't overshadowed by play nearly every single day in these sports in order to reach the allowable game limit. The change also eliminates the outdated and unneeded language related to slow pitch softball.

BYLAW 25

Sec. 2) Sports Specific Limitations- **Baseball- Boys**

- c) The first game shall not take place prior to the Wednesday of the first state basketball tournament ~~Monday following the conclusion of the second state basketball tournament~~ of that year.

Sec. 8) Sports Specific Limitations- **Softball- Girls (Fastpitch)**

- c) The first game shall not take place prior to the Wednesday of the first state basketball tournament ~~Monday following the conclusion of the second state basketball tournament~~ of that year.

9) Sports Specific Limitations- **Softball- Girls (Slow Pitch)**

- a) ~~Following the opening day of school there shall be no organized practice prior to February 15.~~
b) ~~There shall be no more than two (2) scrimmages or practice games prior to the first regular season contest of that year.~~
c) ~~The first game shall not take place prior to the Monday following the conclusion of the second state basketball tournament of that year.~~
d) ~~The season shall consist of a maximum of thirty-six (36) regular season games to be played prior to the beginning of KHSAA state championship competition in fastpitch softball.~~
e) ~~The opportunity to participate in regular season contests shall end at all levels of play (grades 9-12) on the Saturday preceding the first KHSAA Tournament (District, Region or State), with the exception that the varsity team may practice and play through its elimination from KHSAA sanctioned tournament play. Following elimination, there shall be no further practice or play during the remainder of the academic school year.~~

PROPOSAL 2011-10

Proposed by the KHSAA Board of Control as part of the required annual review of all KHSAA Bylaws (702 KAR 7:065)

A proposal to allow an earlier start of play for tennis

IMPACT: Significant, as failure to pass this proposal will result in shortening of tennis season.

Rationale – This proposal would allow tennis schools to begin play in the Wednesday of the first state tournament starting in 2014 (the Board has already addressed 2012 and 2013). This change ensures a consistent length of season with the decision to move the championships in tennis to an earlier week to accommodate testing. This change also would ensure that with the advent of revised testing and testing windows, including end of course assessments, schools would still have time to get the limit of games played even if testing forced cancellation of playing opportunities. In addition, the change lines up the schedule teams can play with the schedules of other states, and ensure that schools on alternative calendars with earlier spring breaks have the same scheduling opportunities. It is also anticipated that this proposal will help by allowing schools to play a few games early and prevent widespread issues when inevitable spring rain outs occur. Lastly, this change allows for a spacing out of the schedule so that the priorities of academics, testing and school year completion aren't overshadowed by play nearly every single day in these sports in order to reach the allowable game limit.

BYLAW 25

Sec. 11) Sports Specific Limitations- **Tennis- Boys and Girls**

- c) The first match shall not take place prior to the Wednesday of the first state basketball tournament ~~Monday following the conclusion of the second state basketball tournament~~ of that year.

PROPOSAL 2011-11

Proposed by Jeff Stokes, Designated Representative, Marshall County High School and Bob Tucker, Designated Representative, Somerset High School

A proposal to allow an earlier start of play for golf

IMPACT: Minimal, but only to golf schools

Rationale – This proposal would allow golf schools an additional three days of play, including a critical weekend which is becoming more and more necessary to allow for the schedule of matches to be played.

BYLAW 25

Sec. 6) Sports Specific Limitations- **Golf- Boys and Girls**

- c) The first match shall not take place before the Friday nine ~~Monday eight~~ weeks prior to the Monday of the week of the first round of the KHSAA sanctioned postseason play.

PROPOSAL 2011-12

Proposed by the KHSAA Board of Control as part of the required annual review of all KHSAA Bylaws (702 KAR 7:065)

A proposal to make housekeeping amendments to Bylaw 27 to reflect the merging of the Sports Safety Course and the Medical Symposiums, and to make the requirements for all coaches the same in all sports.

IMPACT: Technical

Rationale – This proposal would consolidate the language requiring the Sports Safety Course and the Medical Symposium. This combination by the KMA has allowed for a consistent delivery system where coaches can only have one required medical training. This is required of ALL coaches, head and assistant, paid and unpaid, and at any high school level (freshman, JV and varsity). With the movement to online rules clinics, it is a simple process to also require assistant coaches to participate in the rules clinic. This allows athletic directors and other administrators to have one set of requirements for ALL coaches, and allows all coaches to be informed and education as to playing rules and policies. The medical courses and rules clinics are both delivered online and at no charge to the membership, without the burden of additional travel costs regardless of school location.

BYLAW 27

Sec. 3) Post Hire Requirements and Requirements for Continuing Coaching Duties

c) Sports Safety Training and Medical Symposium Updates

- 1) Each coach (head and assistant, including cheerleading) at all levels (grades 9-12) shall be required to complete a sports safety course and medical symposium update consisting of training on how to prevent common injuries. All member schools of the KHSAA shall pay the necessary expenses of coaches for the required attendance at the sanctioned sports safety course and sports medicine symposium update.
 - i. The content of the course shall include emergency planning, heat and cold illnesses, emergency recognition, head injuries, neck injuries, facial injuries and the principles of first aid.
 - ii. The course shall be taught by a Certified Athletic Trainer, Registered Nurse, Physician or Physician's Assistant licensed to practice in Kentucky.
 - iii. The course material and content shall be updated every thirty (30) months.
 - iv. Each coach having completed the course shall re-certify by taking the course not less than once every two (2) years.
- 2) Successful completion of the course shall constitute a passing score.
- 3) Each coach (head and assistant, including cheerleading) at all levels (grades 9-12) shall have successfully completed the sports safety and course and medical symposium update prior to assuming coaching duties.

4) The penalty for noncompliance with this section shall be suspension from coaching duties in all contests for a period not to exceed one year or any penalty otherwise included in Bylaw 33.

d) ~~Medical Symposium Updates~~

1) ~~All persons employed as coaches in all sanctioned sports and sport activities (including cheerleading) shall complete every two years, an online Sports Medicine Symposium sanctioned by the KHSAA, approved and conducted by the Kentucky Medical Association. All member schools of the KHSAA shall pay the necessary expenses of head coaches for the required attendance at the sanctioned Sports Medicine Symposium.~~

2) ~~The penalty for noncompliance with this section shall be suspension from coaching duties in all contests for a period not to exceed one year or any penalty otherwise included in Bylaw 33.~~

~~d~~e) KHSAA Rules Clinic

1) All ~~head-arsity~~ coaches shall annually attend at least one rules interpretation clinic conducted by representatives of the KHSAA in the sport in which they coach and the school desires to enter a team in postseason play, provided these clinics are conducted under the authorization of the Commissioner.

2) The penalty for noncompliance with this section shall be suspension from coaching duties in KHSAA sanctioned postseason play all contests for a period not to exceed one year or any penalty otherwise included in Bylaw 33.